

D330

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PTO/SB/21 (08-00)

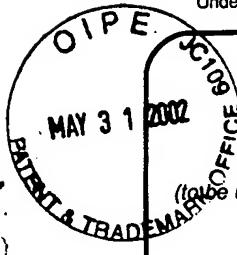
T.L

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Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL
FORM

(To be used for all correspondence after initial filing)

Total Number of Pages in This Submission

| | |
|--|------------------------|
| Application Number | 10/042,039 |
| Filing Date | October 25, 2001 |
| First Named Inventor | Adams, Michael A. |
| Group Art Unit | 1616 |
| Examiner Name | |
| Total Number of Pages in This Submission | Attorney Docket Number |
| | 10692V-000521US |

ENCLOSURES (check all that apply)

| | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Response | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
| <input checked="" type="checkbox"/> Extension of Time Request | <input checked="" type="checkbox"/> Revocation of Power of Attorney or Authorization of Agent | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | Return Postcard |
| <input type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | Declaration |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) | Statement Under 3.73(b) |
| <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application | Remarks | The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430. |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | |
|--------------------------|--|-----------------|
| Firm and Individual name | Townsend and Townsend and Crew LLP Joseph R. Snyder | Reg. No. 39,381 |
| Signature | | |
| Date | May 13, 2002 | |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

May 13, 2002

| | |
|-----------------------|------------------|
| Typed or printed name | Sylvia E. Arnold |
| Signature | |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
WC 9041438 v1

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PTO/SB/17 (09-00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL
for FY 2001**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 120)

| <i>Complete if Known</i> | |
|--------------------------|-------------------|
| Application Number | 10/043,039 |
| Filing Date | October 25, 2001 |
| First Named Inventor | Adams, Michael A. |
| Examiner Name | |
| Group Art Unit | 1616 |
| Attorney Docket No. | 10692V-000521US |

| METHOD OF PAYMENT | |
|--|---|
| 1. <input checked="" type="checkbox"/> | The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: |
| Deposit Account Number | 20-1430 |
| Deposit Account Name | Townsend and Townsend and Crew LLP |
| <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | |
| 2. <input type="checkbox"/> Payment Enclosed: | <input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other |

| FEES CALCULATION | | | |
|-------------------------|-----------------|-----------------------|-----------------|
| 1. BASIC FILING FEE | | | |
| Large Fee Code | Entity Fee (\$) | Small Entity Fee (\$) | Fee Description |
| 101 | 740 | 201 | 370 |
| 106 | 330 | 206 | 165 |
| 107 | 510 | 207 | 255 |
| 108 | 740 | 208 | 370 |
| 114 | 160 | 214 | 80 |
| SUBTOTAL (1) | | | (\$) |
| 2. EXTRA CLAIM FEES | | | |
| Total Claims | -20** | = | X |
| Independent Claims | -3** | = | X |
| Multiple Dependent | | X | = |
| Large Fee Code | Entity Fee (\$) | Small Entity Fee (\$) | Fee Description |
| 103 | 18 | 203 | 9 |
| 102 | 84 | 202 | 42 |
| 104 | 280 | 204 | 140 |
| 109 | 84 | 209 | 42 |
| 110 | 18 | 210 | 9 |
| SUBTOTAL (2) | | | (\$) |

**or number previously paid, if greater; For Reissues, see above

| FEES CALCULATION (continued) | | | | | |
|-------------------------------------|-----------------|-----------------------|-----------------|--|----------|
| Large Fee Code | Entity Fee (\$) | Small Entity Fee (\$) | Entity Fee (\$) | Fee Description | Fee Paid |
| 105 | 130 | 205 | 65 | Surcharge - late filing fee or oath | 65 |
| 127 | 50 | 227 | 25 | Surcharge - late provisional filing fee or cover sheet | |
| 139 | 130 | 139 | 130 | Non-English specification | |
| 147 | 2,520 | 147 | 2,520 | For filing a request for reexamination | |
| 112 | 920* | 112 | 920* | Requesting publication of SIR prior to Examiner action | |
| 113 | 1,840* | 113 | 1,840* | Requesting publication of SIR after Examiner action | |
| 115 | 110 | 215 | 55 | Extension for reply within first month | 55 |
| 116 | 400 | 216 | 200 | Extension for reply within second month | |
| 117 | 920 | 217 | 460 | Extension for reply within third month | |
| 118 | 1,440 | 218 | 720 | Extension for reply within fourth month | |
| 128 | 1,960 | 228 | 980 | Extension for reply within fifth month | |
| 119 | 320 | 219 | 160 | Notice of Appeal | |
| 120 | 320 | 220 | 160 | Filing a brief in support of an appeal | |
| 121 | 280 | 221 | 140 | Request for oral hearing | |
| 138 | 1,510 | 138 | 1,510 | Petition to institute a public use proceeding | |
| 140 | 110 | 240 | 55 | Petition to revive - unavoidable | |
| 141 | 1,280 | 241 | 640 | Petition to revive - unintentional | |
| 142 | 1,280 | 242 | 640 | Utility issue fee (or reissue) | |
| 143 | 460 | 243 | 230 | Design issue fee | |
| 144 | 620 | 244 | 310 | Plant issue fee | |
| 122 | 130 | 122 | 130 | Petitions to the Commissioner | |
| 123 | 50 | 123 | 50 | Petitions related to provisional applications | |
| 126 | 180 | 126 | 180 | Submission of Information Disclosure Stmt | |
| 581 | 40 | 581 | 40 | Recording each patent assignment per property (times number of properties) | |
| 146 | 740 | 246 | 370 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 | 740 | 249 | 370 | For each additional invention to be examined (37 CFR § 1.129(b)) | |
| 179 | 740 | 279 | 370 | Request for Continued Examination (RCE) | |
| 169 | 900 | 169 | 900 | Request for expedited examination of a design application | |
| Other fee (specify) | | | | | |

The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$120)

| SUBMITTED BY | | | | | |
|-------------------------------|-------------------------|-----------------------------------|--------|-----------|--------------|
| <i>Complete if applicable</i> | | | | | |
| Name (Print/Type) | Joseph R. Snyder | Registration No. (Attorney/Agent) | 39,381 | Telephone | 925-472-5000 |
| Signature | <i>Joseph R. Snyder</i> | | | Date | May 13, 2002 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. WC 9041439 v1

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PATENT

Attorney Docket No.: 10692V-000521US

PTQ Ref.: 1997-024-01US

Assistant Commissioner for Patents
Attn: Box Missing Parts
Washington, D.C. 20231

On May 13, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Sylvia E. Arnold

Sylvia E. Arnold

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Michael A. Adams et al.

Application No.: 10/042,039

Filed: October 25, 2001

For: FORMULATIONS AND
METHODS OF USING NITRIC OXIDE
MIMETICS AGAINST A MALIGNANT
CELL PHENOTYPE

Examiner:

Art Unit: 1616

**TRANSMITTAL LETTER –
RESPONSE TO NOTICE OF MISSING
PARTS**

Attn: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to the Notice to File Missing Parts of Nonprovisional Application,
dated February 12, 2002, enclosed are the following to be made of record in the above-
identified application:

- 1) Executed Declaration
- 2) Power of Attorney and Statement Under 37 C.F.R. § 3.73(b) with copies of
Assignments
- 3) Petition to Extend Time (1 month)
- 4) Copy of Notice of Missing Parts

06/04/2002 MBRH/E

00000052 201430 10043039

01 FC:2051

65.00 CH

03/14/2005 JBALINAN 00000034 201430 10043039
01 FC:2051 65.00 CH

Please charge Deposit Account No. 20-1430 for the following fees:

| | | | |
|---------------|---|----------------|--------|
| Small Entity: | (a) Filing Fee (§ 1.16(a)) (Small Entity) | \$0.00 | |
| | (b) Excess Claims Fees (§ 1.16(b), (c)): | | |
| | 40 - 20 = 20 | x \$9.00 = | \$0.00 |
| | 12 - 3 = 9 | x \$42.00 = | \$0.00 |
| | (c) Missing Parts Surcharge | \$65.00 | |
| | TOTAL FEES TO BE CHARGED | \$65.00 | |

The Commissioner is hereby authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to Deposit Account No. 20-1430. This Transmittal Letter is submitted in triplicate.

Respectfully submitted,



Joseph R. Snyder
Reg. No. 39,381

Customer No. 20350

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
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JS:sea

WC 9041436 v1